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Congress of the United States
House of Representatives

Washington, DC 20515-1603

October 25, 2016

COMMITTEE ON APPROPRIATIONS

SUBCOMMITTEES:

VICE CHAIR, TRANSPORTATION, HOUSING, AND
URBAN DEVELOPMENT

AGRICULTURE, RURAL DEVELOPMENT,
FOOD AND DRUG ADMINISTRATION, AND RELATED
AGENCIES

FINANCIAL SERVICES AND GENERAL GOVERNMENT

The Honorable Secretary Ashton Carter
Department of Defense
1400 Defense Pentagon
Washington, DC 20301-1400

Dear Secretary Carter,

Your department has announced that it will be seeking to recover payments made to members of the California Army National Guard during the Iraq and Afghanistan conflicts. I condemn this proposal in the strongest terms, and I urge the Department of Defense (DoD) to find another way to cover the cost of these payments. These soldiers volunteered to risk their lives for our country. It is unconscionable that our government would try to cover for its own mistake by demanding thousands of dollars from veterans years after the fact.

As you well know, the wars in Iraq and Afghanistan were borne on the backs of a volunteer military. American men and women selflessly put their lives in danger for the security of our nation. They did not undertake this mission for the sake of personal gain or wealth. They accepted reenlistment bonuses, though these payments were modest tokens when compared to the enormous sacrifices they made. The soldiers were not responsible for knowing whether the payments were correct, and they made no attempt to defraud the Armed Forces. Yet when the mistake was realized, the DoD did not hold itself accountable for its own mistake, but rather the service members themselves.

Thousands of veterans are now being told to repay over \$15,000 that they received a decade ago. These are not wealthy people; these are Americans who, like many veterans in my own district, cannot afford to simply give up \$15,000. Secretary Carter, I urge you to find a solution that does not penalize veterans who did nothing wrong.

The California Guard has stated that forgiving these debts would be costly and against existing law. The House has already passed its version of the Fiscal Year 2017 NDAA, which included Section 642, a provision to create a statute of limitations on the military's ability to recover future overpayments. I supported this section when I voted in favor of the NDAA, and I support its inclusion in the final conference version of the NDAA. However, this legislation will not help the California Guard veterans currently being targeted, and action needs to be taken by the DoD to alleviate their situation now. In light of this, please answer the following questions:

1. Federal Government managed programs have a notorious reputation for waste, fraud, and abuse. Can your department cover the relatively low cost of forgiving these payments by cracking down on wasteful spending in other areas of the DoD?
2. Will the Administration support the inclusion of Section 642 in the final version of the NDAA?
3. Does the Administration support inclusion of further language that would retroactively expand the Section 642 statute of limitations to cover the California Guard veterans in question?

Congress has before it two pieces of legislation that will affect troop pay for Fiscal Year 2017, the FY 2017 NDAA and the FY 2017 DoD Appropriations bill. I will work to include appropriate measures in these bills to protect our veterans and troops and improve accountability within the DoD, so that these mistakes are corrected now and prevented in the future. I hope that you and your department will cooperate and help ensure that our service members and veterans are respected and cared for by the government. I look forward to your prompt reply.

Sincerely,

Kevin Yoder
Member of Congress

Cc:
President Barack Obama
1600 Pennsylvania Avenue
Washington, D.C. 20500